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BEFORE THE ARIZONA CORPORATION COMMISSION

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Arizona Corporation Commission

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2003 MAR 25 A 11: 27

MARC SPITZER, Chairman  
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MIKE GLEASON

MAR 25 2003

AZ CORP COMMISSION  
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CAR

TROY & TRACY DENTON,

DOCKET NO. T-01051B-02-0535

vs.

QWEST CORPORATION.

APRIL & BRYANT PETERS,

DOCKET NO. T-01051B-02-0519

vs.

QWEST CORPORATION.

JOHN J. AND PATRICIA J. MARTIN,

DOCKET NO. T-01051B-02-0518

vs.

QWEST CORPORATION.

SUSAN BERNSTEIN,

DOCKET NO. T-01051B-02-0517

vs.

QWEST CORPORATION.

TOMMY L. WHITE

DOCKET NO. T-01051B-02-0516

vs.

QWEST CORPORATION

SANDRA RODR,

DOCKET NO. T-01051B-02-0515

vs.

QWEST CORPORATION,

KIRK & BOBBI LIMBURG,

DOCKET NO. T-01051B-02-0514

vs.

QWEST CORPORATION,

ARNOLD & TAMARA FATHEREE,

DOCKET NO. T-01051B-02-0513

vs.

QWEST CORPORATION,

ERNIE & SHERRY THOMPSON,

DOCKET NO. T-01051B-02-0512

vs.

QWEST CORPORATION.

PROCEDURAL ORDER

1 **BY THE COMMISSION:**

2  
3 On July 9 and July 11, 2002, Troy and Tracy Denton, April and Bryant Peters, John H. and  
4 Patricia J. Martin, Susan Bernstein, Tommy L. White, Sandra Rodr, Kirk and Bobbi Limburg, Arnold  
5 and Tamara Fatheree, and Ernie and Sherry Thompson (hereinafter "Complainants") filed various  
6 Complaints against Qwest Corporation ("Qwest") that basically stated the Complainants wished to  
7 receive phone service. Qwest has refused to provide telephone service to the Complainants based on  
8 Qwest's claims that the Complainants are not located within Qwest's service territory.<sup>1</sup>

9 On January 22, 2003, Qwest filed a Motion to Stay the Proceedings until the resolution of an  
10 application of Midvale Telephone Exchange, Inc. ("Midvale") to serve the Complainants' area.

11 On January 30, 2003, the Arizona Corporation Commission ("Commission") issued a  
12 Procedural Order that, among other things, ordered the Complainants and the Utilities Division Staff  
13 ("Staff") to file a response to Qwest's Motion on or before February 10, 2003.

14 On February 10, 2003, Staff filed a response to Qwest's Motion to Stay Further Proceedings.  
15 In its response, Staff did not object to Qwest's Motion to Stay this matter until a final resolution is  
16 rendered in Midvale's application. However, Staff requested that a Procedural Conference be held in  
17 order to discuss the ramifications of the Motion with all parties.

18 On February 20, 2003, the Commission issued a Procedural Order that set this matter for a  
19 pre-hearing on March 3, 2003.

20 On March 3, 2003, the Procedural Conference was held as scheduled. Staff and Qwest  
21 appeared and were represented by counsel. Sherry Thompson, Tracy Denton and Tommy White,  
22 appeared, but were not represented by counsel. Mrs. Denton appeared telephonically. At the  
23 Procedural Conference, Qwest's Motion to Stay and its impact was explained to the Complainants.  
24 During the Procedural Conference, some questions could not be answered by either Staff or Qwest  
25 about Midvale's application. Therefore, this matter should be reset for an additional Procedural  
26 Conference and a representative of Midvale should attend in order to supplement the information  
27 provided by Staff and Qwest.

28 <sup>1</sup> All the Complaints were consolidated into one case.

1 Accordingly, another Procedural Conference should be held and a representative of Midvale  
2 should be required to attend. Once the proper information is obtained at that Procedural Conference,  
3 then the Commission will be able to rule on Qwest's Motion to Stay the Proceedings.

4 IT IS THEREFORE ORDERED that this matter shall be set for a Procedural Conference on  
5 April 21, 2003 at 2:00 p.m. at the Commission's offices at 1200 West Washington Street, Phoenix,  
6 Arizona.

7 IT I FURTHER ORDERED that the Complainants and the representative of Midvale may  
8 attend the Procedural Conference telephonically.

9 IT IS FURTHER ORDERED that the Ex Parte Rule is still in effect.

10 IT IS FURTHER ORDERED that the Presiding Officer may rescind, alter, amend or waive  
11 any portion of this Procedural Order by subsequent Procedural Order or by ruling at hearing.

12 Dated this 25 day of March, 2003.

13  
14   
15 PHILIP J. DION III  
ADMINISTRATIVE LAW JUDGE

16 ...  
17 Copies of the foregoing mailed/delivered  
18 this 25 day of March, 2003 to:

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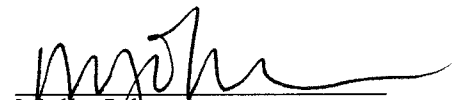
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